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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/831,281	10/03/2001	Leslie Graf	027566-028	4259

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ERICSSON INC.
6300 LEGACY DRIVE
M/S EVR C11
PLANO, TX 75024

EXAMINER	
JOO, JOSHUA	

ART UNIT	PAPER NUMBER
2154	

DATE MAILED: 02/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/831,281	GRAF ET AL.	
	Examiner	Art Unit	
	Joshua Joo	2154	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *10 November 1998*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-9* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-9* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *05/09/2001*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

1. Claims 1-9 are presented for examination.

Information Disclosure Statement

2. The information disclosure statement (IDS) submitted on May 9,2001 is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-6, 9 are rejected under 35 U.S.C. 102(b) as being unpatentable by Szviatovski, International Publication #WO 96/38018.

5. As per claims 1 and 9, Szviatovski teaches a method and a system for establishing a connection between two different networks, an ISDN network and a data network. Szviatovski's invention comprises of:

a) Routing said signaling messages via a signaling gateway which provides for conversion of messages between a first transmission protocol used in the telecommunications network and a second transmission protocol used in the network which connects the signaling gateway to the ISP (Pg. 8, lines 15-19. The gateway receives the information set sent by the

workstation, where it encodes the IP-protocol address to the decimal form used in the ISDN-world.); and

b) For each message received at the signaling gateway from the ISP, confirming the right of that ISP to control a circuit switched communication channel identified in the message (Pg. 8, lines15-29; Pg. 9, lines 2-8. When the gateway receives the information set, which also includes the intelligent network service number and the user's personal identifier, the gateway transmits the information to the ISDN-network exchange. When the exchange receives the message, the network service switching point identifies the intelligent network service number and starts the service.).

6. As per claim 2, Szviatovski teaches a method according to claim 1, and comprising maintaining a record at the signaling gateway of the circuit switched communication channels allocated to each ISP coupled to the signaling gateway (Pg. 9, lines 6-15. The service places the subscriber's location, personal identifier, and gateway address in the service data database, so that when the calling subscriber dials the intelligent network service, the network is capable of retrieving from the database the information of the called subscriber and connect the call.).

7. As per claim 3, Szviatovski teaches a method according to claim 1, wherein the telecommunication network comprises a Signaling System No. 7 (SS7) based signaling network which is interfaced to the ISP via the signaling gateway (Pg. 5, lines 20-25. Network comprises of a Service Switching Point (SSP) and a Service Control Point (SCP).).

8. As per claim 4, Szviatovski teaches a method according to claim 3, wherein the network coupling the signaling gateway to the ISP is an IP based network (Pg. 5, lines 14-18. Gateway

is connected to the data network, where the Internet is used as an example of the data network.).

9. As per claim 5, Szviatovski teaches a method according to claim 4, wherein the signaling gateway provides a conversion between at least the Message Transfer Part protocols of the SS7 network and the IP based protocols enabling ISUP messages to be transferred, transparently, between the exchange and the ISP (Pg. 8, lines 15-19; Pg. 8, line 24 – Pg. 9, line 5. The gateway receives the information set sent by the workstation, where it encodes the IP-protocol address to the decimal form used in the ISDN-world. The decimal encoded IP-address is sent to the ISDN-network exchange, in which the gateway can use for the transmission according to the ISUP-protocol. Once the SSP of the network receives the information, it can start the network service.).

10. As per claim 6, Szviatovski teaches the method according to claim 4, wherein the ISP from which a signaling message originates is identified at the signaling gateway by virtue of the source IP address associated with the IP datagram in which message is delivered to the gateway. (Pg. 5, lines 10-19; Pg. 8, lines 15-18. Information is sent from the data network to the gateway, where the information contains the source IP address.).

Claim Rejections - 35 USC § 103

11. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

12. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Szviatovski, International Publication #WO 96/38018 and in view of Brockman et al, US Patent #6,529,594 (Brockman hereinafter).

13. As per claim 7, Szviatovski teaches the use of Service Switching Point and Service Control Point for call management with an IP based data network (Pg. 5, lines 10-24).

14. Szviatovski does not specifically teach a method according to claim 4, wherein each of the ISPs connected to a given a signaling gateway is allocated a unique Point Code in the signaling network of the telecommunications network, Point Codes being included in the header of a signaling message to indicate the destination and source of the message, and the signaling gateway screens messages received from an ISP to confirm that source Point Codes contained therein correspond to the actual ISPs from which they originated.

15. Brockman teaches an invention for capturing signaling units at gateways in a communication network, where the signals passing through the gateway contain an originating point code and a destination point code. The source of the message is identified from the originating point code (Col 5, lines 42-53).

16. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Szviatovski and Brockman because the teachings of Brockman for each data network connected to a signaling gateway to be allocated a unique Point Code, for the Point Codes to be included in the signaling message indicating the destination and source of the message, and for the gateway to identify that source Point Codes contained therein correspond to the data network from which they originated improves the

quality of service of Szviatovski's invention by ensuring the proper setup of connections so that that the messages are correctly routed and reach the appropriate destination.

17. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Szviatovski, International Publication #WO 96/38018 and in view of Inoue et al, US Patent #6,552,997 (Inoue hereinafter).

18. As per claim 8, Szviatovski does not teach a method according to claim 4, wherein the ISP from which a signaling message originates is identified by virtue of the input port/device of the signaling gateway at which the message arrives.

19. Inoue teaches an invention for ensuring communications within a network, where the transmission source is determined in accordance with the port at which the message is inputted (Col 27, lines 20-23).

20. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Szviatovski and Inoue for Szviatovski's invention to identify the originate of the message by the port at which the message is inputted because it will improve the reliability of Szviatovski's invention by ensuring the proper routing of messages and ensuring that communication will be maintained even during problems in the network.

Conclusion

21. A shortened statutory period for reply to this Office action is set to expire THREE MONTHS from the mailing date of this action.

22. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joshua Joo whose telephone number is 571 272-3966 and fax number is 571 273-3966. The examiner can normally be reached on Monday to Thursday 8 to 5:30.

23. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John A Follansbee can be reached on 571 272-3964.

24. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

February 7, 2005
JJ

JOHN FOLLANSBEE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100